

CLASSIFICATION OFFICE DECISION

Title of publication: Smoke Formulas

Other known title(s): Not stated

OFLC ref: 1800622.042

Medium: Text File

Publisher: Not stated

Country of origin: Not stated

Language: English

Applicant: Commissioner of Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 18 June 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 18 June 2019

Summary of reasons for decision:

The text file contains limited instructional information and mainly details chemical compounds for smoke bombs and how to handle them safely. Although the possession or use of smoke bombs is an offense under New Zealand law the likelihood of successfully creating them from the information provided is low and the numerous warnings contained in the publication limit its encouraging effect. Therefore the publication cannot seriously be considered promotional or encouraging of crime. However, the unrestricted availability of the publication is still likely to be injurious to the public good. Children and young people, who are in the process of developing their cognitive abilities, are at risk of attempting to make the bombs without taking adequate precautions, or fully understanding the consequences of doing so. Adults, on the other hand, are likely to have the maturity and experience to understand the warnings, and appreciate the physical risks and potential legal ramifications of doing so. They are likely to exhibit appropriate caution and take steps to mitigate any potential harm. Therefore, the text file is restricted to those aged 18 and over, as this is a justified limitation on the right to freedom of expression contained in the New Zealand Bill of Rights Act 1990 in order to prevent injury to the public good.